



Order Filed on March 15, 2021  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
**Caption in Compliance with D.N.J. LBR 9004-1(b)**

**Robertson, Anschutz, Schneid, Crane & Partners, PLLC**  
Authorized Agent for Secured Creditor  
130 Clinton Road, Lobby B, Suite 202  
Fairfield, NJ 07004  
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Shauna Deluca, Esq. (SD-8248)

In Re:  
**Kenneth Ebbert, Jr.,**  
*aka Ken Ebbert*  
*aka Kenneth F. Ebbert,, II*  
*aka Kenneth Francis Ebbert,, Jr.*  
*aka Kenneth F. Ebbert,, Jr.*  
*aka Kenneth Francis Ebbert,, II*  
**Debtor.**

Case No.: 18-19513-CMG

Chapter: 13

Hearing Date: February 17, 2021

Judge: Christine M. Gravelle

**AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF  
FROM THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby  
ORDERED.

**DATED: March 15, 2021**

A handwritten signature in cursive script, reading "Christine M. Gravelle".  
\_\_\_\_\_  
Honorable Christine M. Gravelle  
United States Bankruptcy Judge

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Secured Creditor: NewRez LLC d/b/a Shellpoint Mortgage Servicing

Secured Creditor's Counsel: Robertson, Anschutz, Schneid, Crane & Partners, PLLC

Debtors' Counsel: Daniel E. Straffi, Esq.

Property Involved ("Collateral"): 960 Farmingdale Road, Jackson, NJ 08527

Relief sought:           ■ Motion for relief from the automatic stay

For good cause shown, it is **ORDERED** that Secured Creditor's Motion is resolved, subject to the following conditions:

1.           Status of post-petition arrearages:

- The Debtor is overdue for 10 months from May 1, 2020 through February 1, 2021.
- The Debtor is overdue for 6 payments from May 1, 2020 through October 1, 2020 at \$2,788.01 per month.
- The Debtor is overdue for 4 payments from November 1, 2020 through February 1, 2021 at \$3,122.39 per month.

Funds Held In Suspense \$1,558.54

Total Arrearages Due \$27,659.08

2.           Debtor must cure all post-petition arrearages, as follows:

- Debtor has been approved of a Trial Loan Modification with payments in the amount of \$2,949.80 due on March 1, 2021, April 1, 2021, and May 1, 2021. The Debtor shall make these payments pursuant to the terms set forth in the Trial Loan Modification Agreement between the parties **directly to Secured Creditor**.
- In the event that the Debtor fails to comply with the payment schedule within the Trial Modification, and/or the Debtor is not approved for a Final Modification, Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.
- Secured Creditor does not waive it's right to collect the full contractual post-petition amount due including, but not limited to, the arrears identified above in the event a Final Modification is not approved.

3. In the event of Default:

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

4. Award of Attorneys' Fees:

- The Applicant is awarded attorney fees of \$350.00 and costs of \$188.00.  
The fees and costs are payable:  
■ Through the Chapter 13 plan.

The undersigned hereby consent to the form and entry of the foregoing order.



Daniel E. Straffi, Esq.

*Attorney for Debtor*

Date: 3/8/2021

/s/ Shauna Deluca

Shauna Deluca, Esq.

*Attorney for Secured Creditor*

Date: February 22, 2021